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Rutland County Council

Catmose,
Oakham,
Rutland
LE15 6HP

Application:	2020/1205/FUL	ITEM 3	
Proposal:	Proposed addition of three new roof windows and a new floor within the vaulted lounge to form a study area		
Address:	134A Braunston Road, Oakham, Rutland LE15 6RU		
Applicant:	Mr A. Burt	Parish	Oakham Town
Agent:	Mr Robin Taylor	Ward	Oakham South
Reason for presenting to Committee:	Applicant related to RCC employee		
Date of Committee:	9th February 2021		

EXECUTIVE SUMMARY

The proposed development would not have a detrimental impact upon the residential amenity of neighbouring residential occupiers, representing a minor alteration that would also not adversely affect the character and appearance of the local area.

RECOMMENDATION

APPROVAL, subject to the following conditions:

1. The development shall be begun before the expiration of three years from the date of the permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, labelled; A1-20-10-2020 Rev 2, and the materials specified in the application.
Reason: For the avoidance of doubt and in the interests of proper planning.

Site & Surroundings

1. The application property is No 134A Braunston Road, Oakham. This is a detached, gable-ended dormer dwelling of modern design and construction, located in its own curtilage which is set behind those residential properties fronting the Braunston Road. The dwelling is linked to the Braunston Road by a narrow, private driveway, which runs between the side gardens of Nos 134 and 136 Braunston Road.
2. The dwelling is L shaped in plan form, with the main front elevation facing the rear gardens and rear elevations of those dwellings fronting the Braunston Road, and its main rear elevation facing the rear elevations of those dwellings fronting Harrington Way. At present, the front pitch of the roof slope contains a double roof light feature, and the rear pitch of the roof slope contains a single rooflight. The projecting element of the dwelling, projects forward of the main front wall, and incorporates a gable dormer window, which faces west, out towards the long rear garden of No 136 Braunston Road.

Proposal

3. The proposal seeks full planning permission for the addition of three new roof windows and the insertion of a new first floor within the existing ground floor vaulted lounge, to thereby form a new study area at first floor level. The new rooflights are to match the design of those existing.
4. The application as originally submitted proposed the insertion of a single new rooflight in the main front roof pitch, on an alignment similar to that of the existing double rooflight, and a double rooflight to be inserted in the rear roof pitch on an alignment similar to the single roof light feature that is present in the rear roof pitch. These new rooflights would serve the proposed construction of a new first floor study that would be built over the existing currently vaulted ground floor lounge of the dwelling. A cross-sectional drawing detail was provided with the originally submitted application drawings but this detail did not show a measured, confirmed distance for the positioning of the new roof lights, in relation to the new first floor being created.
5. Following the receipt of objections and concerns being expressed by neighbours of two residential properties located to the rear of the application site, the Agent submitted a finalised amended plan (Rev.2), that has included a cross-sectional drawing showing the confirmed distances from the new finished floor level to the bottom of the proposed new rooflights. In the case of the proposed rear double rooflights this distance is shown at 1700mm, with a notation that states "Roof opening must be a minimum of 1700mm from finished floor level. This is (to) alleviate an/potential privacy concerns of neighbours. These windows should now be above eye level so no overlooking will occur". In the case of the proposed front single rooflight, this distance is shown at 1100mm, with a notation that states "Roof opening must be a maximum of 1100mm for fire escape reasons".
6. In comparison with the originally submitted application drawings, the finalised amended Rev 2 plan is therefore showing a repositioning of the proposed south-facing, rear double rooflights further up the roof pitch, and closer to the main roof ridge line, while the proposed north-facing single rooflight has been maintained at its originally proposed position.

Relevant Planning History

Application	Description	Decision
FUL/2004/0420	Erection of two storey dwelling house	This was an application submitted by the current applicants, and was granted by notice dated 13/8/2004. A condition of this permission withdrew permitted development rights.
FUL/2007/0070	Garage	Granted

FUL/2010/0735	Construction of rear conservatory, retention of pergola and greenhouse	Granted
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Planning Guidance and Policy

National Planning Policy Framework (NPPF) 2019

Chapter 12-Achieving well-designed places

Site Allocations and Policies DPD (2014)

SP15 - Design and Amenity

Core Strategy DPD (2011)

CS19 - Promoting Good Design

Other Policies and documents

Supplementary Planning Document-Extensions to Dwellings (2015)

Consultations

7. Oakham Town Council

In relation to the application as originally submitted, the Oakham Town Council Recommended Approval. Following re-consultation on the amended plan, no Further comment received.

Neighbour Representations

8. In response to the initially submitted application, two letters citing objection and concern were received from the occupiers of two of those residential properties fronting Harrington Way, and which therefore are situated to the rear of the application site. These letters sought clarification as to the height of the proposed rear windows, as their existing rear gardens were not currently overlooked, and confirmed that if these were to be at eyelevel then there would be a loss of privacy. One of the letters, while expressing concern over the rear roof windows and the resultant overlooking, made the point that if the windows were to look 'skywards' then overlooking may not be a problem, but that "the plans don't illustrate this and more detail is required".
9. Upon the receipt of the finalised amended plan, re-consultation was carried out with neighbours but no further representations were received.

Planning Assessment

10. The main issues are the extent to which there would be a potential detrimental impact upon the residential amenities of neighbouring occupiers, and any adverse impact upon the character and appearance of the local area. With the submission of the finalised Rev 2 amended plan which shows a cross-sectional detail of the positioning of the rear rooflights, and their re-siting further up the rear roof pitch, the Agent has responded to the concerns expressed by neighbours to this element. It is therefore considered that this re-siting would prevent any scope for a loss of privacy to these neighbours at the rear. While the proposed rooflight in the front roof pitch has remained in its original position, the Agents notation has drawn attention to its position being needed for fire escape reasons arising from the relevant legislation on these types of alterations. This new single rooflight will face northwards, and given the siting of No 134A, there is still considered to be a reasonable separation distance resultant between the siting of this new single rooflight and the rear of those residential properties fronting the Braunston Road. In terms of the design aspects of the proposed alterations, these are essentially minor in nature and would not be incongruous, or detract from the character and appearance of the local area.
11. Taking the above into account, it is considered that the proposal would have an unacceptable adverse impact upon the residential amenity of local residents or the wider area, in accordance with Section 12 of the NPPF (2019), Policy CS 19 of the Rutland Core Strategy (2011), and Policy SP 15 of the Site Allocations and Policies Development Plan Document (2014).

Crime and Disorder

12. It is considered that the proposal would not result in any significant crime and disorder implications.

Human Rights Implications

13. Articles 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation.
14. It is considered that no relevant Article of that act will be breached.

Conclusion

15. The proposal, as amended, has been assessed against the national and local planning policies and would not have a detrimental impact upon the residential amenity of neighbouring occupiers, and would not adversely affect the character and appearance of the local area.